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Dated: September 4, 2009
Electronic Signature for Elizabeth A. Hanley: /Elizabeth A. Hanley/

Docket No.: 117750-02301
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Malcolm Carter *et al.*

Application No.: 10/528,250

Confirmation No.: 2767

Filed: June 21, 2005

Art Unit: 1624

For: BENZODIAZEPINE DERIVATIVES AND
PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

Examiner: Bruck KIFLE

MS Patent Extension
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. § 1.705(D)

Dear Sirs:

1. This is a Request for Reconsideration of the Patent Term Adjustment, pursuant to 35 USC § 154(b) and 37 C.F.R. § 1.705(d), to correct the Patent Term Adjustment indicated on the issued patent, issued on September 1, 2009. It is respectfully requested that Applicants be granted a minimum Patent Term Adjustment of 274 days.

2. This Request for Reconsideration of the Patent Term Adjustment will be submitted on September 4, 2009 which is within two (2) months of the issue date of the patent. Accordingly, the instant Request for Reconsideration of the Patent Term Adjustment is timely filed pursuant to 37 C.F.R. § 1.705(d). Applicants also submit herewith:

- the fee set forth in 37 C.F.R. § 1.18(e), and
- a “Statement Under 37 C.F.R. § 1.705(b)(2)” which specifies

the correct Patent Term Adjustment and the bases under 37 C.F.R. § 1.702 for the adjustment; the relevant dates under 37 C.F.R. §§ 1.703(a)-(e) for which adjustment is sought; the adjustment specified in 37 C.F.R. § 1.703(f) to which the patent is entitled; and whether the patent is subject to a terminal disclaimer and any expiration date specified in the terminal disclaimer.

3. Applicants respectfully request grant of this Application for Patent Term Adjustment.

4. In accordance with 37 C.F.R. 1.705(b)(2)(i), Applicants submit herewith the fee set forth in 37 C.F.R. 1.18(e). It is Applicants' understanding that this \$200.00 fee is required for this application for Patent Term Adjustment. However, should any additional fees be necessary, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-4876, under Order No. 117750-02301..

Dated: September 4, 2009

Respectfully submitted,

By Elizabeth A. Hanley/
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